

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DANA TAMBERELLI,

Plaintiff,

v.

ALKERMES, INC., MICHAEL
BAUER, MICHAEL BROUSSEAU,
and MADELINE COFFIN,

Defendants.

:
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: No. 3:16-cv-01681-RDM
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: Hon. Robert D. Mariani
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DECLARATION OF BARBARA RITTINGER RIGO

1. I am over the age of eighteen. I have personal knowledge of the facts in this Declaration and, if asked, could competently testify to these facts.

2. Defendants Alkermes, Inc., Michael Bauer, Michael Brousseau, and Madeline Coffin (collectively, “Defendants”) retained me, and my firm Littler Mendelson, P.C., to represent them as their attorney in the above-captioned case.

3. To date, the parties in the above-captioned case have completed significant discovery.

4. Defendants have produced nearly 10,000 pages of documents, including electronically-stored information, Plaintiff Dana Tamberelli (“Ms.

Tamberelli”) has produced over 800 pages of documents, and the parties have exchanged answers to interrogatories.

5. By late May 2017, the parties agreed to conduct Ms. Tamberelli’s deposition on June 6, 2017, and Mr. Bauer’s deposition on June 9, 2017.

6. On June 2, 2017, Ms. Tamberelli’s counsel David Deratzian sent counsel for Defendants an email expressing an interest in discussing settlement. A true and correct copy of that email is attached hereto as Exhibit 1.

7. On the afternoon of June 2, 2017, I spoke on the phone with Mr. Deratzian and we discussed settlement of the above-captioned case.

8. On June 5, 2017, I again spoke with Mr. Deratzian on the phone several times, further negotiating settlement.

9. On the afternoon of June 5, 2017, Mr. Deratzian informed me that Ms. Tamberelli had accepted Defendants’ settlement offer.

10. At the time he accepted the offer on Ms. Tamberelli’s behalf, Mr. Deratzian specifically told me to write down that he had express authority from his client to settle the case.

11. During our discussion on June 5, Mr. Deratzian and I reached agreement not only on the settlement amount, but on other specific terms to be included in the written settlement agreement.

12. Mr. Deratzian and I also agreed that, due to the settlement, Plaintiff's deposition scheduled for June 6 would be cancelled.

13. I followed up the June 5 phone call with Mr. Deratzian with an email, confirming that the parties had reached a settlement. A true and correct copy of that email is attached hereto as Exhibit 2 (confidential information redacted).

14. On June 6, 2017, Ms. Tamberelli showed up at my office for her deposition.

15. I informed Mr. Deratzian that his client had appeared for her deposition. He told me at that time that he was experiencing some difficulties with his client, but that she had agreed to settle the case the previous day and that he had express authority from her to do so.

16. On June 12, 2017, Mr. Deratzian emailed me requesting that I send him the written settlement agreement. A true and correct copy of that email is attached hereto as Exhibit 3.

17. On June 15, 2017, Mr. Deratzian informed me by email that he had been discharged by Ms. Tamberelli. A true and correct copy of that email is attached hereto as Exhibit 4.

I declare under penalty of perjury pursuant to the laws of the United States of America that the foregoing is true and correct.

Executed in Philadelphia County this 23rd day of June, 2017.



BARBARA RITTINGER RIGO

EXHIBIT 1

From: David Deratzian <David@employmentlaw-lv.com>
Sent: Friday, June 02, 2017 1:29 PM
To: Sopher, Paul J.
Subject: RE: Tamberelli v. Alkermes et al. - Updated Privilege Log

Paul,

Before we embark on the deposition tour, I was wondering if there was any interest in discussing settlement. Let me know.

D

David L. Deratzian | Attorney at Law | Hahalis & Kounoupis, P.C. | 20 East Broad Street | Bethlehem, PA 18108| Telephone: (610) 865-2608| Fax: (610) 691-8418 | Direct Fax: (215) 790-6214
David@employmentlaw-lv.com | www.Employmentlaw-lv.com



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Thank you.

From: Sopher, Paul J. [<mailto:PSopher@littler.com>]
Sent: Thursday, June 1, 2017 2:25 PM
To: David Deratzian
Cc: Rigo, Barbara Rittinger
Subject: Tamberelli v. Alkermes et al. - Updated Privilege Log

David,

Please find Defendant's updated privilege log attached.

Thanks,
Paul

Paul J. Sopher, Associate
267.402.3019 direct 267.285.2754 fax PSopher@littler.com
Three Parkway, 1601 Cherry Street, Suite 1400 | Philadelphia, PA 19102-1321

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EXHIBIT 2

From: Rigo, Barbara Rittinger <BRigo@littler.com>
Sent: Monday, June 05, 2017 1:35 PM
To: David Deratzian (David@employmentlaw-lv.com)
Cc: Sopher, Paul J.
Subject: Tamberelli v. Alkermes et. al.

David,

This is to confirm that the parties have agreed to resolve Ms. Tamberelli's litigation for the total amount of [REDACTED]. As we discussed, I will be providing you with a draft agreement in the next day or so. I have asked my client and will get you specifics on taxation and what the [REDACTED] clause will look like as soon as I hear back. If you know what your attorney fee will be already we can write that into the draft agreement as well. Just let me know.

Thanks.

Barbara Rittinger Rigo, Shareholder
267.402.3009 direct 267.960.5473 fax brigo@littler.com
Three Parkway, 1601 Cherry Street, Suite 1400 | Philadelphia, PA 19102-1321



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EXHIBIT 3

From: "David Deratzian" <David@employmentlaw-lv.com>
Date: June 12, 2017 at 12:30:19 PM EDT
To: "Rigo, Barbara Rittinger" <BRigo@littler.com>
Subject: RE: Tamberelli v. Alkermes et. al.

Can you please send me a Settlement Agreement for review? Hope springs eternal.

D

From: Rigo, Barbara Rittinger [<mailto:BRigo@littler.com>]
Sent: Monday, June 5, 2017 1:35 PM
To: David Deratzian
Cc: Sopher, Paul J.
Subject: Tamberelli v. Alkermes et. al.

David,

This is to confirm that the parties have agreed to resolve Ms. Tamberelli's litigation for the total amount of [REDACTED]. As we discussed, I will be providing you with a draft agreement in the next day or so. I have asked my client and will get you specifics on taxation and what the [REDACTED] clause will look like as soon as I hear back. If you know what your attorney fee will be already we can write that into the draft agreement as well. Just let me know.

Thanks.

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EXHIBIT 4

From: David Deratzian [<mailto:David@employmentlaw-lv.com>]
Sent: Thursday, June 15, 2017 10:39 AM
To: Rigo, Barbara Rittinger
Subject: RE: Tamberelli v. Alkermes et. al.

Barb,

I have been discharged by Ms Tamborelli, and it appears she may have filed a "Motion for Continuance" with the Court. Please advise what course of action you intend to pursue so that I may be prepared to provide any information a Court may require.

D

David L. Deratzian | Attorney at Law | Hahalis & Kounoupis, P.C. | 20 East Broad Street | Bethlehem, PA 18108 | Telephone: (610) 865-2608 | Fax: (610) 691-8418 | Direct Fax: (215) 790-6214
David@employmentlaw-lv.com | www.Employmentlaw-lv.com



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Thank you.